

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

RANDALL ESSLINGER,

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant

Civil No. C04-5770RBL

ORDER

Based on the stipulation of the parties, it is hereby ORDERED that the Commissioner's final decision be reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand to the Commissioner of Social Security, the Appeals Council will remand this case to a different administrative law judge to (1) obtain supplemental vocational expert (VE) testimony and provide Plaintiff with the opportunity to question the VE; (2) receive into the record supplemental medical evidence presented by the Plaintiff and evaluate all supplemental evidence; (3) reevaluate Plaintiff's subjective complaints and credibility; (4)

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1 obtain available evidence from Washington and Alaska state vocational counselors, and evaluate
2 such evidence; (5) properly evaluate the opinions of treating physician, Paul Worrell, M.D.,
3 particularly the psychological diagnoses; and (6) obtain a mental status consultative examination
4 and medical expert testimony regarding Plaintiff's mental functioning, if deemed necessary.
5 Plaintiff may present new arguments and further medical evidence, if such evidence becomes
6 available.
7

8 This case is reversed and remanded on the above grounds pursuant to sentence four of
9 42 U.S.C. § 405(g). Upon proper presentation, this Court will consider Plaintiff's application for
10 costs and attorney's fees under 28 U.S.C. § 2412(d).
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12 DATED this 21st day of July, 2005.
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15 
16 RONALD B. LEIGHTON

17 UNITED STATES DISTRICT JUDGE

18 Recommended for Entry:

19 s/Karen L. Strombom
20 UNITED STATES MAGISTRATE JUDGE
21

22 Presented by:

23 s/ JOANNE E. DANTONIO WSB # 23623
24 Special Assistant U.S. Attorney
25 Office of the General Counsel
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